

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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TAYLOR TOUSSAIN,

Plaintiff(s),

v.

HOME DEPOT USA INC. dba THE HOME
DEPOT,

Defendant(s).

Case No. 2:22-CV-917 JCM (BNW)

ORDER

Presently before the court is Magistrate Judge Brenda Weksler's report and recommendation ("R&R") to deny plaintiff Toussain ("plaintiff")'s motion to amend. (ECF No. 34).

This court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). Where a party timely objects to a magistrate judge's report and recommendation, then the court is required to "make a *de novo* determination of those portions of the [report and recommendation] to which objection is made." *Id.*

Where a party fails to object, however, the court is not required to conduct "any review at all...of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge's report and recommendation where no objections have been filed. *See United States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard of review employed by the district court when reviewing a report and recommendation to which no objections were made).


1 No objections were filed to the R&R in this case and the deadline to do so has passed.
2 Thus, the court is not obligated to conduct a *de novo* review of the R&R and hereby ADOPTS
3 the magistrate judge's findings.

4 Accordingly,

5 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that Judge Weksler's R&R
6 (ECF No. 34) be, and the same hereby is, ADOPTED in its entirety.

7 IT IS FURTHER ORDERED that plaintiff's motion to amend (ECF No. 17) is
8 DENIED.

9 DATED May 24, 2023.

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12 UNITED STATES DISTRICT JUDGE
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